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 DATE 12-19-03

UNITED STATES DISTRICT COURT
 DISTRICT OF MASSACHUSETTS

FILED
 2003 DEC 19 P 1:42

U.S. DISTRICT COURT
 DISTRICT OF MASS.

KIPP R. GIBBS,

Plaintiff,

v.

SLM CORP., SALLIE MAE SERVICING, L.P.,
 NELLIE MAE, USA FUNDS, GENERAL
 REVENUE CORPORATION,

Defendants.

CIVIL ACTION NO. _____

03 12565 PBS

NOTICE OF REMOVAL

TO: The Judges of the United States District Court
 for the District of Massachusetts, Eastern Section

MAGISTRATE JUDGE Deen

Pursuant to 28 U.S.C. §§ 1441(b) and 1446, defendants SLM Corp., Sallie Mae Servicing, L.P., Nellie Mae, and General Revenue Corporation (collectively "the Sallie Mae defendants") hereby remove the above-captioned action from the Superior Court Department of the Trial Court for Barnstable County of the Commonwealth of Massachusetts to the United States District Court for the District of Massachusetts. In support of this removal, the defendants state as follows:

1. Plaintiff Kipp R. Gibbs ("Gibbs") has brought a civil action, pro se, against the defendants in the Superior Court Department of the Trial Court for Barnstable County of the Commonwealth of Massachusetts, styled *Kipp R. Gibbs v. SLM Corp., Sallie Mae Servicing, L.P., Nellie Mae, USA Funds, General Revenue Corporation*, Civil Action No. 03-722. True

Complaint”) are attached hereto as Exhibit A. In addition, the Plaintiff’s initial Complaint and first Amended Complaint (12/4/03) are attached hereto as Exhibit B.

2. On or about December 12, 2003, Gibbs caused the Sallie Mae defendants to be served with process in the state court action. Pursuant to 28 U.S.C. §1446(b), the Sallie Mae defendants have until January 12, 2004, to remove the underlying action to this Court.¹

3. This Court has jurisdiction over the state court action pursuant to 28 U.S.C. §§ 1331 and 1441(b), because it includes separate and independent claims or causes of action within this Court’s federal question jurisdiction, which are joined with otherwise potentially non-removable claims or causes of action. Specifically, the Amended Complaint includes claims arising under the Fair Credit Debt Collection Practices Act, 15 U.S.C. § 1601 *et seq.*, as well as federal regulations promulgated by the United States Department of Education, Code of Federal Regulations, Title 34 *et seq.*

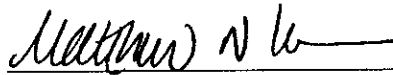
4. Pursuant to Local Rule 81.1(a), the Sallie Mae defendants will file with this Court certified or attested copies of all records and proceedings in the state court action and certified or attested copies of all docket entries therein within 30 days.

¹ The Sallie Mae defendants understand that defendant USA Funds has not yet been properly served with the Amended Complaint. Nevertheless, counsel for the Sallie Mae defendants has spoken with counsel for USA Funds, who have assented to the removal of this action to this Court.

Respectfully submitted,

SLM CORP., SALLIE MAE SERVICING, L.P.
NELLIE MAE, and GENERAL
REVENUE CORPORATION

By their attorneys,



Peter E. Gelhaar (BBO #188310)

Matthew N. Kane (BBO #636801)

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(617) 720-2880

Dated: December 19, 2003

CERTIFICATE OF SERVICE

I hereby certify that on this day a true copy of
the above document was served upon the
attorney of record for each party by mail/by hand

Date: 12/19/03 Matthew N Kane ^{overnight}